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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

August 15, 2016

CERTIFIED RETURN RECEIPT
7013 2250 0000 2310 2668

Kevin Butters
C E Butters Realty and Construction
760 North Highway 89
Harrisville, Utah 84404

Subject: Division Directive to Amend Notice of Intention to Commence Large Mining Operations, Towers Sand and Gravel LLC, Towers Sand and Gravel Mine, M/057/0006, Weber County, Utah

Dear Mr. Butters:

Based on the findings of the inspection conducted on July 15, 2016, the Division of Oil, Gas and Mining directs C E Butters Realty and Construction/Towers Sand and Gravel to amend the Notice of Intention to Commence Large Mining Operations (NOI) to include and implement a Weed Management Plan (WMP). Please submit this plan no later than September 16, 2016. The inspection found extensive infestations of State- and County-listed noxious and invasive weeds on the site.

The weeds that were found include dyer's woad (*Isatis tinctoria*), Scotch thistle (*Onopordum acanthium*) and yellow star-thistle (*Centaurea solstitialis*). Others may be present on the site. To help you identify these and other weeds of concern in Utah, please reference the Utah Weed Control Association web site at <http://www.utahweed.org/weeds.htm>. This web site also has links to the laws in Utah pertaining to noxious and invasive weeds.

Transportation of weed seed adhering to trucks and other vehicles to offsite locations is a violation of the Utah Noxious Weed Control Act, Utah Code Annotated Title 4, Chapter 17, and the rules promulgated under it, Rule R68-9. Failure to manage noxious and invasive weeds on the Tower's Sand and Gravel site may result in the issuance of a Notice of Violation by the Division. In addition, Weber County Weed Abatement may initiate proactive actions to control the weeds that could result in substantial costs to you.

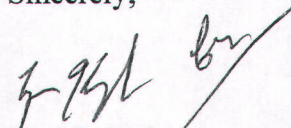
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The WMP must include, at a minimum, procedures that Tower's Sand and Gravel will use to identify, monitor, and control noxious/invasive weeds, identify personnel assigned to implement the WMP, and a schedule for monitoring and abatement activities. It must also list any pesticides that will be used, application rates, and measures that will be taken in handling them and cleaning up any spills that may occur.

The WMP will be included in the NOI as an appendix. Please use form MR-REV (http://linux3.ogm.utah.gov/WebStuff/wwwroot/minerals/permit_forms.html), and include replacement index pages that will identify the location of the WMP within the NOI.

Thank you for your attention to this matter. Please contact the permit lead, Mike Bradley, at 801-538-5332, or me at 801-538-5261 if you have questions about this requirement.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Baker", is written over a diagonal line that extends from the signature area down towards the typed name.

Paul B. Baker
Minerals Program Manager

PB: mpb: eb

cc: Iris Hennon, Weber County Engineering (ihennon@co.weber.ut.us)

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